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September 1, 2005

JACKSON  
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**VIA FACSIMILE & UNITED STATES MAIL**

Eric Thompson  
 Children's Rights Incorporated  
 404 Park Avenue South  
 New York, NY 10016

**RE: *Olivia Y., et al. v. Haley Barbour, et al;* In the United States District Court for the Southern District of Mississippi, Jackson Division; Cause No. 3:04CV251LN**

Dear Mr. Thompson:

This letter follows the various electronic and voicemail messages that we have received from you this week regarding scheduled activities in the above-styled matter.

As you know, Hurricane Katrina has devastated much of Mississippi, particularly the Mississippi Gulf Coast region. This catastrophic event necessarily places the Mississippi Department of Human Services ("MDHS") operations in an emergency state. MDHS is in the process of accounting for the whereabouts of MDHS staff, caseworkers, foster children and families in those counties affected most severely by Hurricane Katrina. In addition, MDHS offices have been demolished or heavily damaged.

Given the circumstances, we are requesting that Plaintiffs agree to a 90-day stay of litigation in this case so that the Mississippi Department of Human Services can focus on the emergency relief efforts that are so desperately needed in this state at this time.

We do not anticipate that Peter Boulette, Robin Wilson, nor any MDHS employee will be available for deposition at any time next week or in the immediate future. In addition to the exigent circumstances attendant to the hurricane, Robin Wilson has taken ill.

As for the psychological examination of John A. as ordered by the court, we have not been able to make contact with the MDHS office in Forrest County to confirm John A.'s availability, and we do not anticipate that he will be available to see Dr. Hiatt on September 6, 2005. It is our understanding from news reports that the residents of Hattiesburg do not have electricity, water or other basic necessities.

We trust that you will withhold any motions to compel production of documents as stated in your letter of August 25, 2005 until we have an opportunity to formally present a report of the current state of MDHS conditions to the Court.

Sincerely,

**McGLINCHEY STAFFORD, PLLC**

Betty A. Mallett

